

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
WEDNESDAY, APRIL 27, 2016**

**MINUTE ORDER NO. 2**

**SUBJECT: NOTICED PUBLIC HEARING:  
AN ORDINANCE EXTENDING A MORATORIUM ON THE  
ESTABLISHMENT OF MEDICAL MARIJUANA COLLECTIVE  
FACILITIES (DISTRICTS: ALL)**

**OVERVIEW:**

On March 16, 2016 (3), the Board of Supervisors (Board) adopted an interim urgency ordinance enacting a moratorium on the establishment of medical marijuana collective facilities. The Board also directed staff to return at a future date with various ordinance options to address the siting and enforcement of these facilities. The interim urgency ordinance was adopted to allow County staff the time needed to research, analyze and develop possible actions based on the Board's direction. The interim urgency ordinance prohibits the establishment of new medical marijuana collective facilities to the extent allowed by law.

Pursuant to Section 65858 of the California Government Code, such an interim urgency ordinance is initially effective for a period of 45 days. Section 65858 permits an extension of the 45 day period, following public notice and public hearing, for an additional 10 months and 15 days. This action will extend the moratorium for 10 months and 15 days.

**FISCAL IMPACT:**

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years. Based on the March 16, 2016 (3) Board direction, staff does not anticipate the need for additional funding to complete this action at this time. However, due to the evolving and uncertain nature of marijuana use, both medical and recreational, as a result of state legislation and a potential November 2016 ballot measure, the complexity of the proposed ordinance and enforcement options may increase. This may require staff to request additional funding at a future date.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15378 of the State CEQA Guidelines because it is not a project as defined under the CEQA Guidelines.

2. Adopt the attached Form of Ordinance:

AN ORDINANCE EXTENDING A MORATORIUM ON THE ESTABLISHMENT OF MEDICAL MARIJUANA COLLECTIVE FACILITIES AND DECLARING THE URGENCY THEREOF, TO TAKE EFFECT IMMEDIATELY. (4 VOTES)

3. Provide any additional direction regarding this matter.

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Horn, the Board closed the Hearing and took action as recommended, adopting Ordinance No. 10426 (N.S.) entitled: AN ORDINANCE EXTENDING A MORATORIUM ON THE ESTABLISHMENT OF MEDICAL MARIJUANA COLLECTIVE FACILITIES AND DECLARING THE URGENCY THEREOF, TO TAKE EFFECT IMMEDIATELY.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn


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State of California)  
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the original entered in the Minutes of the Board of Supervisors.

DAVID HALL  
Clerk of the Board of Supervisors



By   
Marvice E. Mazyck, Chief Deputy